

CHIEF JUSTICE TO LEAVE BENCH

Letter of Resignation Presented
Yesterday to Governor for
the President.

TAKES EFFECT ON MARCH 1

Rumor Names Cooper as Suc-
cessor—Says He Would Ac-
cept the Position.

(From Thursday's Advertiser.)

Chief Justice Alfred S. Hartwell of the territorial supreme court yesterday forwarded his resignation from the high office which he holds, to Governor Frear with the request that it be sent on to President Taft at Washington. The resignation will be sent to the national capital on the next mail to the Coast.

The chief justice mentioned no reasons for his resignation and asked that it might take effect at the end of this month, if possible, or upon the appointment and qualification of his successor. He stated in his letter to the President, conveying the resignation, that he considered it advisable that all cases now pending before the supreme court be disposed of before he steps down from the bench, and adds that he believes that it is possible within the present month.

Cooper Will Accept.

The public has long believed that Judge Henry E. Cooper, first judge of the circuit court, is to be the successor to Chief Justice Hartwell, whose resignation had been expected, and he will doubtless be the most prominent figure in the discussion of the appointment.

Judge Cooper stated yesterday that he was not "an applicant for the position," explaining that he considered an application for such a high position incompatible with the high dignity of the office. He announced, however, his readiness to accept the position should it be tendered him.

Republican Committee Ready.

Chairman Cooper, of the Republican executive committee, yesterday evening, stated that the resignation of Chief Justice Hartwell had just been called to his attention. The matter of endorsing a successor would be taken up, he said, immediately by the committee. "Those things should not be left undone too long," remarked Mr. Cooper.

Distinguished Record.

The retiring chief justice has a distinguished record as a soldier, jurist and citizen. He was born in Dedham, Massachusetts, June 11, 1836, and was educated at Harvard, receiving the degree of A. B. in 1858 and LL. B. in 1867. During the Civil War he served with distinction in the Union ranks, being promoted successively to lieutenant, captain, lieutenant-colonel, colonel and brigadier-general. His military record as colonel of the Fifty-fifth Massachusetts Infantry was especially admirable, and later when he was in command of a brigade in South Carolina, consisting of New York, Pennsylvania, Massachusetts and United States troops he was brevetted brigadier-general for gallantry at the battle of Honey Hill, where he was wounded four times and had a horse killed under him. After serving all through the war, he was mustered out April 3, 1866.

After the war, Judge Hartwell returned and finished his course in the Harvard Law School. He then practiced law in Boston until 1868, at which time he was appointed first associate justice of the Supreme Court of Hawaii, serving until 1874, when he became attorney general under the reign of King Kalakaua. He served but a few months in that capacity, but again accepted the office in December, 1876, resigning in July, 1878.

In 1904 he became associate justice of the supreme court, and on August 15, 1907, was elevated to his present position as chief justice, succeeding Governor Frear.

WASHINGTON'S NATAL DAY IS LOST SIGHT OF

"In my opinion the people of Honolulu have unintentionally compelled the military people to abide strictly by the provisions of the general order issued by General Wood, chief of staff, with regard to troops of the army appearing in parades of a carnival nature, etc.," said a service officer yesterday.

"The reason is that the people have been gradually advertising the Floral Parade and carnival features more and more each year, and have also gradually submerged the one great idea which is the celebration of George Washington's Birthday.

"This is above all a celebration of Washington's Birthday and that must not be forgotten. Troops, according to the General Wood's order, may participate in celebrations of a patriotic nature, but according to this order and the method of advertising the coming carnival, it might be interpreted that this was not a patriotic celebration.

Miss Nell Monaghan of Spokane has been chosen to christen the United States torpedo boat Monaghan at Newport News next month. The boat is named in honor of Esquire Robert Monaghan, a brother of Miss Nell. He was killed by natives in Samoa in 1896 while trying to save the life of his superior officer.

TO URGE EXHIBIT FOR THE LIMIT

Delegate Hunter, to Pan-Pacific Congress, Optimistic Over the Fair.

(From Thursday's Advertiser.)

Percy Hunter yesterday presented to Governor Frear his credentials from the prime minister of Australia as a delegate to the Pan-Pacific Congress, to be held here this month.

Mr. Hunter, as representing Australia, is enthusiastic over the capture by San Francisco of the Panama exposition. "It means a great deal to Australia," he said, "and it seems to me, everything to Hawaii. There should be some big attraction in Hawaii before or during the San Francisco exposition, for many Australians will attend, and it should mean a new San Francisco-Sydney steamship line via Honolulu, and it should mark the beginning of real tourist traffic on and around the Pacific.

"Australia is particularly anxious to be better known in America, and one of the best media of publicity is to show to assembled nations the fruits of the industry of a country's inhabitants. I was among the representatives of Australia at the Franco-British exposition in London in 1908 and it was no unusual thing for that show to attract half a million sightseers on a Saturday or a holiday. Australia spent upwards of a million dollars in making a presentable show at the Franco-British exposition and the result achieved was universally admitted to have been more than worth the money.

King Was Interested.

"The late illustrious King of England, Edward VII., was particularly interested in the Australian exhibit, as representing the only important dominion of his empire that he had never visited. Queen Alexandra and the present king as well as Queen Mary paid several surprise visits to the court and the royal interest was well reflected in the enthusiasm of the general populace who learned more of their overseas dominions and particularly Australasia and Canada by means of this exposition than they could have been taught in years by any other means.

"As head of the immigration department, I know we are still reaping a harvest from the seed sown at Shepherds Bush in 1908, and I am confident that Australia will obtain equally good results from an adequate representation at San Francisco in 1915.

"Since 1908, the exhibition business in Australia has gone over from the States to the Commonwealth, and Albee Hunt, the secretary of external affairs, whose department controls these matters, has the world-seeing eye and is likely to be keenly impressed with the importance of San Francisco in 1915. The minister of this department, Eli Batcher, is one of the keenest minds in the Commonwealth cabinet and I have no doubt that he will be favorable to Australian representation.

"It is very gratifying to think that the working up of this exposition will turn all eyes Pacificwards and I regard it as the happiest of omens for the Pan-Pacific Travel Congress that on the day after my arrival here I should learn the news that San Francisco has won out on the big fight.

Definite Ideas to Present.

"Mr. Ford and I have been working along definite lines for three years to bring about the establishment of joint Australian and Hawaiian tourist and immigration headquarters in New York, at least, of the larger American cities. This has interested Australia particularly, and now every effort will be merged with the Pan-Pacific Congress. There will be concrete facts to present if the congress takes the matter up. There certainly should be something of this sort in New York, Chicago and San Francisco, where the big exposition is being promoted. The idea of a special convention on this subject, however, has, I understand, been dropped. Governor Frear has appointed Mr. Ford as a delegate to the Pan-Pacific Congress, and every interest will work together with Mr. Wood to make a success of the congress.

Pan-Pacific Olympia.

"Mr. Ford suggested to us, while visiting Australia, a pan-Pacific Olympia of native Pacific sports. This, it seems to me, would be a splendid thing for Honolulu during the exposition year. We will send our teams, aboriginal and modern."

The territorial transportation committee, of which Governor Frear is chairman, which first brought Hunter to Hawaii, and the Trail and Mountain Club will, it is understood, both pass resolutions endorsing the efforts of the Pan-Pacific Congress, taking their share in the promotion of its success by entertaining delegates socially.

MARTIN NOMINATED.

WASHINGTON, February 1.—President Taft today nominated George E. Martin of Ohio for judge of the court of customs appeals, to succeed Judge William Henry Hunt of Helena, Montana.

ARCHBISHOP DYING.

PHILADELPHIA, February 1.—Archbishop Patrick John Ryan is reported to be dying.

DREADNOUGHT LAUNCHED.

LONDON, February 1.—The dreadnought Thunderer was launched here today successfully.

SPRAINED ANKLE.

A sprained ankle will usually disable the injured person for three or four weeks. This is due to lack of proper treatment. When Chamberlain's Pain Balm is applied a cure may be effected in three or four days. This balm is one of the best and most remarkable preparations in use. For sale by all dealers. Benson, Smith & Co., agents for Hawaii.

HIS LAST PROMOTION AT CALL OF DEATH GRANTED REAR-ADMIRAL SPERRY SUDDENLY

WASHINGTON, February 1.—Rear Admiral Charles Stillman Sperry, who commanded the Atlantic battleship fleet on its famous cruise around the world in the winter of 1908-9, died here today suddenly. Death was due to pneumonia.

Rear-Admiral Sperry was born in Brooklyn, September 3, 1847, and was sixty-three years old at the time of his death, which will be mourned in a hundred ports around the world. He was respected by the men of the battleship fleet, which he commanded in its trip around the world two years ago and won the affection of all who came in contact with him, both civilians and his officers and men.

Sperry was appointed to the Naval Academy from New York and graduated in 1866. He became an ensign March 12, 1868; a master, March 26, 1869, and a lieutenant, March 21, 1870. In 1877 he married Miss Edith Marcy, grand-

daughter of Governor Marcy of New York. He was made a lieutenant-commander March 1, 1883; a commander, June 23, 1894; captain, July 1, 1900; became rear-admiral, May 26, 1906, and was retired September 3, 1909. He took an active part in the Spanish-American war, in the blockading fleet.

Beside his services at sea Rear-Admiral Sperry was president of the Naval War College and a member of the General Board, U.S.N., 1903; member of the National Coast Defense Board, 1905; delegate to the Geneva Conference for the revision of the convention for the treatment of the sick and wounded, June, 1906, and a delegate to the second Hague Conference, June, 1907.

When with his family Rear-Admiral Sperry made his home in Waterbury, Connecticut, but most of his life was passed in the active service of his country in peace and war, and such should be his epitaph.

NO DISGRACE IN PRISON FOR THEM

Convicted Spies in Peace Times
Treated Courteously by
Their Captors.

Considerable curiosity has been manifested with regard to the punishment inflicted the other day by the supreme court of Germany, at Leipzig, upon the two English officers, one of the navy and one of the marines, captured in the act of photographing the new and secret defensive works at Borkum, on the North Sea, writes *Ex-Attache* in the *Pittsburg Dispatch*. They were condemned to four years' imprisonment in a fortress; and, inasmuch as congress is now being asked to enact legislation empowering the government to deal with the cases of Japanese officers caught while spying upon the new defenses at Manila and elsewhere in the Philippine Islands, in Hawaii, along the Pacific and Atlantic coasts and the projected fortifications of the Panama Canal, it may be timely to give here a few brief notes of explanation as to the penalty provided by the military powers of continental Europe for these forms of espionage.

Imprisonment in a fortress entails no disgrace whatever, no matter whether inflicted upon a native or upon a foreign officer. It does not entail the forfeiture of his commission, and is imposed not only for certain forms of espionage, but also for violation of the national laws against dueling.

A Case in Point.

Thus Baron von Kiderlen-Waechter, now secretary for foreign affairs of the German empire, while stationed as the Kaiser's envoy at Copenhagen, was called upon to serve a term of six months' imprisonment in the fortress of Ehrenbreitstein, on the Rhine, for having fought a duel, and wounded the editor of the Berlin comic paper, *Kladderatsch*, who had charged him with fostering bad blood between Emperor William and old Prince Bismarck. The baron wounded his adversary, and although not a soldier by profession, was nevertheless indicted, and condemned for violation of the statutes against dueling.

The German government did not consider it necessary to relieve him from his post of its representative in Denmark. He merely went on leave of absence, entrusting his duties to a charge d'affaires, and before his departure explained matters to the late King Christian, who thoroughly appreciated the situation, realizing that while it was necessary for Kiderlen-Waechter to undergo some semblance of a punishment for the violation of the laws of the land in Germany, he would have been unable to retain his position in the Kaiser's diplomatic service, or to remain in the role of German minister plenipotentiary at Copenhagen, had he failed to comply with the unwritten laws of honor, which required that he should meet in single combat the editor who had maligned him. After the baron had served three months, the remainder of his penalty was remitted by Emperor William, and he resumed his position as German envoy at the court of the late King Christian, just as if nothing had happened.

During the baron's captivity in Ehrenbreitstein, he was treated by the officers of the fortress not as a prisoner, but as an envoy on leave of absence. He was attended by his own servants, took his meals as a general rule either with the governor, or with the mess of the officers, and was permitted full liberty to roam, not only over all the precincts of the fortress, but also over the surrounding country, to accept invitations to the various country houses of the district, and to join shooting parties organized in his honor. All that was required of him was that he should keep the governor of the fortress notified of his movements, and that he should give his word not to leave the province.

Scores of names of other diplomats, court dignitaries and officers of the army who have been subjected to penalties similar to that on Baron Kiderlen-Waechter for infraction of the national laws against dueling, could be mentioned, including that of Prince Philip Eulenberg, whose six months' imprisonment at Ehrenbreitstein as a cavalry subaltern, for cutting down and killing the late Duke of Edinburgh's French chef, who had inadvertently jostled him off the pavement in the streets of Bonn, did not prevent him from subsequently filling the offices of Prussian minister at Munich, and ambassador of Germany to the court of Vienna.

I can also recall the case of a very gifted and brilliant officer of Austrian cavalry, who, while serving on the Galician frontier, while himself as agreeable that he was in great demand as a guest at the various chateaux, and

even at the officers' messes on the Russian side of the boundary. He availed himself of the opportunities thus placed in his way to acquire a considerable amount of information of a military and topographical order, which was of great value to the war department at Vienna. On this becoming known, mainly through his own indiscretion concerning the reasons for his promotion, he was boycotted by his fellow-officers of the Austrian corps to which he had been attached as guilty of gross violation of the laws of hospitality.

Military and naval attaches, especially those in France, Austria and Russia, have exposed themselves in much the same way to charges of having picked up during the country-house visits information affecting the defenses of the country in which they were residing, and of having taken an improper advantage of the indiscretions of fellow-guests. Officers such as these have suffered in the eyes of their own professional comrades, and of their countrymen generally. Only last spring Emperor Francis Joseph, who is the very personification of old-fashioned courtesy and consideration, deliberately turned his back at a state ball at Vienna on the Russian military attaché at Vienna, Colonel Martchevsky, who had rendered himself guilty of conduct of this kind, besides bribing Austrians to sell him official secrets. Of course, his recall followed within twenty-four hours.

So much for the ethics of espionage. Let me add by way of conclusion that the infamy of imprisonment depends largely on the nature of the offense, and, when the latter is of a political character, entails no disgrace. In France, in Hungary, in Spain, Italy, and more especially in the Balkan states, there have been many statesmen holding office as cabinet ministers who have in their younger days undergone detention in jail as revolutionists, and Monsignor Venetich, now the minister plenipotentiary of Serbia at Paris, married to a rich New York Jewess, at one time swept the streets in front of the German legation at Belgrade, where persons convicted of offenses, political as well as criminal, are employed, under the eye of brutal warders, as the city's "White Wings."

KING GEORGE DENIED MORGANATIC MARRIAGE

If Permitted, Would Have Personally
Branded as Untrue Charge
Made Against Him.

LONDON, February 2.—Shattering all the traditions of royalty, King George yesterday sent a personal letter to the Crown Prosecutor to be read in the public court in connection with the trial of Edward Mylius, charged with circulating a libel against the King. In his letter, King George stated that only for the fact that the appearance of a ruler in a witness box or as an active participant in any legal proceedings would be unconstitutional, he would appear in person to publicly brand as untrue the allegations that he had contracted a morganatic marriage and had deserted his wife when called upon to assume the rank of Prince of Wales.

The story of such a marriage, which has been in circulation for many years, although semi-officially denied through the *Review of Reviews* by King Edward, was recently revived in a Parisian publication, printed in English and distributed here, Mylius being in charge of the British end of the business. A charge of circulating a libel was laid against him, the charge exciting world-wide attention, as this was the first official protest ever made against the circulation of the particular story and practically the first time any charges against the personal character of any British ruler for many years.

Admiral Seymour, R. N., and his daughter, who was named in the story as the morganatic wife of King George, testified at the trial. Both denied that any such marriage as was charged had ever taken place.

Mylius was found guilty of libel and sentenced, and it was after the sentence had been passed that the letter from King George was read.

COTTRILL'S NOMINATION
CONFIRMED BY SENATE

WASHINGTON, February 1.—The President's nomination of Charles A. Cottrill, the negro politician of Toledo, for collector of internal revenues at Honolulu, was today confirmed by the senate.

The appointment was made shortly before Christmas, and has been waiting for confirmation ever since.

BONILLA IS WINNING.

PUERTO CORTIZ, February 1.—This city and the entire Atlantic Coast of Honduras are now in the possession of General Bonilla.

VETO BILL THE MAIN SUBJECT

British Ministers Preparing for
Strenuous Session—Sur-
plus is Predicted.

LONDON, January 16.—Preparations for the opening of parliament are proceeding apace. Speculation on the terms of the king's speech inclines to the belief that his majesty's ministers will have inserted in the speech from the throne references indicating unmistakably that the lords' veto bill will be the leading legislative project of the session. This speculation must be regarded as well founded, as the bill is the one measure that is certain to bind all parties of the coalition together.

Following the veto bill will come the budget. This year Lloyd George is likely to have an interesting story to tell in his introductory speech. The revenue is in a most healthy condition. The liquor trade has kept low stocks, especially of spirits, in the hope of the increased duties being canceled by a Conservative government. That hope is now shattered, and as a result the replenishment of stocks has sent up the returns by leaps and bounds. The direct taxes on estates and incomes bid fair to yield more than the estimates, and a surplus is now regarded as assured.

Unemployment Insurance.

This situation forebodes a triumph for Liberal finances; but it will require and receive the most careful handling. Social reforms will depend, as heretofore, on strict economy, on a steady liquidation of debt, and a determination to examine closely departmental estimates. It is not, perhaps, too much to hope that workmen's insurance against sickness and unemployment—a non-controversial reform which has been worked out behind the scenes—will be established in this first session of the new parliament.

The relations between local and imperial finances have long needed revision. The subject is vast and complicated, and the usual course under such circumstances is to appoint a committee of ministers, not of necessity confined to cabinet ministers, which will explore the whole field and prepare a bill. If these steps be taken the measure should be ready for the session of 1912.

A similar committee will doubtless work out a scheme of home rule. Circumstances have altered since Mr. Gladstone's time, and the same measure which he fought through the house of commons must not be expected. Probably the proposals of the government will concern Ireland alone, but they will not preclude a subsequent application of home rule to Wales and Scotland.

Cabinet Changes Foreshadowed.

Changes in the cabinet are foreshadowed. Lord Morley's colleagues have resisted his known desire for complete rest, and everyone hopes that Lord Morley will not press the matter further at a time when his presence in the Liberal councils is of inestimable value. Rumor has concerned itself with the lord chancellor, whose health has not always been robust. Here again Lord Loreburn's services in debate, especially on the constitutional question, are regarded as essential and he may be induced to postpone for a time what is believed to be his intention of relinquishing his exalted office.

SPENT A FORTUNE ON SKIN TROUBLE

But Lost All Hope of Cure—Grew
Worse and Worse in Spite of Many
Doctors and Three Years of Hos-
pital Treatment—Inflammation
Made Her Almost Crazy with Pain.

CURED BY TWO SETS
OF CUTICURA REMEDIES

"I began to have an itching over my whole body about seven years ago and this settled in my limbs, from the knee to the toes. I went to see a great many physicians, a matter which cost me a fortune, and after I noticed that I did not get any relief that way, I went for three years to the hospital. But they were unable to help me there. I used all the medicines that I could see but became worse and worse. I had an inflammation which made me almost crazy with pain. When I showed my foot to my friends they would get really frightened. I did not know what to do. I was so sick and had become so nervous that I positively lost all hope. I had seen the advertisement of the Cuticura Remedies a great many times but could not make up my mind to buy them, for I had already used so many medicines. Finally I did decide to use the Cuticura Remedies and I tell you that I was never so pleased as when I noticed that, after having used two sets of Cuticura Soap, Cuticura Ointment and Cuticura Pills, the entire inflammation had gone. I was completely cured. I should be only too glad if people with a similar disease would come to me and find out the truth. I would only recommend them to use Cuticura. Mrs. Bertha Sachs, 1621 Second Ave., New York, N. Y., Aug. 20, 1909."

"Mrs. Bertha Sachs is my sister-in-law and I know well how she suffered and was cured by the Cuticura Remedies after many other treatments failed. Morris Sachs, 321 E. 89th St., New York, N. Y., Secretary of Deutsch-Ostrower Unit, Vienna, Kampfer Holzer Benevolent Society, etc."

A single set of Cuticura Remedies, costing but one dollar, consisting of Soap to cleanse, Ointment to heal and Pills to purify, has frequently cured chronic cases of torturing, disfiguring humors of infants, children and adults when the best methods known to the profession had failed. Guaranteed absolutely pure. Cuticura Remedies are sold throughout the world. Write for a free trial. 134 South Broadway, New York City. Sold at all druggists of name and every drug store.

THREE MILLIONS OF PEOPLE IN TERROR

New York Skyscrapers Rocked
by Terrific Explosion of
Dynamite.

MANY ARE DEAD OR DYING

Property Loss Is Great and All
Business Stopped for the
Day.

NEW YORK, February 2.—Thirty-two persons are believed to be dead, a dozen are fatally injured and over one hundred more or less severely hurt by an explosion of a barge-load of dynamite near the Jersey City docks yesterday. No trace of the barge or its crew has been found.

The explosion was a terrific one, and the great skyscrapers of this city rocked as though moved by an earthquake. Thousands of windows were broken in both cities and over three million people were struck with terror or panic, many believing the destruction of the city was threatened by an earthquake.

Million in Damage.

The great steamship docks on the New Jersey side of the North River are shattered, shipping was damaged and buildings wrecked. The total damage is estimated at close upon one million dollars.

Scores of fire alarms were turned in from all parts of the city and the dashing of the fire engines through the crowded streets seeking for a fire added to the terror and confusion and intensified the excitement.

Business Stopped.

All business in the city was practically stopped, stores were hurriedly closed and hundreds of thousands of people swarmed into the streets seeking to discover what had happened.

Inspectors are at work examining the subways under the North River and the foundations of some of the great downtown buildings to determine the damage, if any. The report is that trains are still able to safely pass under the river from Jersey City.

STOCKHOLDERS SUE TO RECOVER STOCK WORTH MILLIONS

TRENTON, February 2.—Suit was instituted in the federal court here, yesterday, by the preferred stockholders of the National Sugar Refining Company, also known as the "sugar trust," against the trustees and executors of the estate and will of the late Henry Osborne Havemeyer, and against Jas. Howell Post, president of the National Sugar Refining Company of New Jersey, to recover stock.

The plaintiffs assert that ten millions of dollars worth of common stock was wrongfully distributed to the defendants and the action is to compel the surrender of this common stock or the payment for it at its face value.

Mr. Post is, beside president of the National Sugar Refining Company, a director and treasurer of the Cuban-American Sugar Company, a director in the American-Hawaiian Steamship Company and an officer in a number of other sugar companies.

HUNDREDS DYING IN EARTHQUAKE SHOCKS

MANILA, February 2.—The roll of dead due to the eruption of Mount Taal and the successive shocks of earthquake in the province of Luzon is growing and now seven hundred is the number of dead and a great deal larger number injured.

So far the observatory in Manila has recorded 714 distinct shocks, which are continuing, many of them severe. The houses weakened by previous shocks are falling at each repetition.

The natives are panic-stricken and the churches are filled with men, women and children crying to the saints for help.

NO CAUSE TO WORRY
IS WORD FROM MAUI

One day's investigation was sufficient to convince Chief Sanitary Inspector Clifford Charlack that conditions at Waikapu, Maui, were not serious, and he yesterday wirelessly Acting President Pratt of the board of health to that effect.

With the exception of the one case of smallpox which broke out suddenly in that district, other conditions in Waikapu are satisfactory, and there is no trouble expected. Doctor Shepard, at Fair, has written Doctor Pratt that no cases have occurred there, Doctor Sawyer reporting one new case of scarlet fever at Punahoa. As this case was traced directly to one of the old cases, some distance away, it has not caused the worry that the discovery of a new center of the disease would have done.